

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 14, 1974
1:00 P. M.

Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler
Absent: Councilman Friedman, Mayor Pro Tem Love

The Invocation was delivered by REVEREND JOHN BARCLAY, Central Christian Church.

RED CROSS MONTH

Mayor Butler read and then presented a proclamation to Judge James Denton, Supreme Court of Texas, and Mrs. Bonnie Selander, Chairwoman of the Red Cross Volunteers, proclaiming the month of March, 1974, as "Red Cross Month," and further proclaiming that Congress Avenue shall be renamed "Red Cross Avenue" throughout the day of March 18, 1974. Judge Denton and Mrs. Selander thanked the Council, and Mrs. Selander presented the Mayor with a paperweight from the American Red Cross.

INTERNATIONAL DEMOLAY WEEK

Mayor Butler read and then presented a proclamation to five members of the Order of DeMolay of the Stephen F. Austin Chapter proclaiming the week of March 17-24, 1974, as "International DeMolay Week."

Mr. Alan Chowberg
Mr. Don Wallis
Mr. Bill Brown

Mr. Anthony Moreno
Mr. Robert Smanders

The Mayor remarked that the Stephen F. Austin Chapter would be observing 1974 as the "55th Anniversary of DeMolay."

APPROVAL OF MINUTES

Councilman Lebermann moved that the Council approve the Regular Meeting Minutes of March 7, 1974. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Handcox, Lebermann

Noes: None

Absent: Mayor Pro Tem Love, Councilman Friedman

APPEAL - FRANK BARRON

Mayor Butler opened the hearing scheduled for 1:00 P.M. on an appeal of the decision of the Planning Commission to grant Mr. Frank Barron a special permit for a 144-unit apartment project on a 4-acre tract, Case #CI 4p-74-002. Mr. Dick Lillie, Director of the Planning Department, reviewed the application. He stated that the proposed project was located north and east of the Airport, close to the junction of Old Manor Road and New Manor Road. He further added that a special permit would be required because of multiple structures on one tract of land. This would entail submission of the site plan and approval by the Planning Commission. After hearing the application, the Planning Commission recommended that the project be approved subject to all departmental requirements, that being the recommendation of the Urban Transportation and Planning Departments that the application also contain access to 51st Street. He reported that the extension of 51st Street was not scheduled in the Capital Improvements Program to date and that the applicant could not provide secondary access to this street until completion of the extension and that he had dedicated by subdivision all the right of way that he could (about 10 feet). The remainder of the right of way occurred on adjacent property which he did not control. Mr. Lillie stated that, in effect, Mr. Barron was appealing the decision of the Planning Commission to make some effort to have that extension of 51st Street placed in the Capital Improvements Program. He mentioned that the project could be built presently in one structure without a special permit or the applicant could get a building permit for any type of commercial activity without this permit. In conclusion, Mr. Lillie stated that Mr. Barron was before the Council about a year ago to request consideration of providing the extension of 51st Street within the Capital Improvement Program.

Mr. Frank Barron reviewed the history of the rerouting of Manor Road due to the extension of the Airport runway. He stated that the referenced 4 acres were a part of a master plan of a 20-acre tract and that this 4-acre tract had been "land locked" for years. Technically, he felt that one building could be constructed but felt that it was not feasible or suitable. He added that there was only 64 feet of frontage on Old Manor Road, which was close to a drainage ditch and a bridge; and there would, therefore, be a problem in getting approval. He indicated that he had received correspondence from different departments in the last 10 years saying that this extension would be completed in a year or two. He requested that the Council make themselves acquainted with this to determine the feasibility of the inclusion of this extension in the Capital Improvements Program.

Councilman Dryden felt that, as a Councilman, he had to review this from the City's standpoint; and, as a citizen's representative, from Mr. Barron's standpoint. He wondered if there were any way Mr. Barron could utilize this property and maintain access without the completion of 51st Street.

Mr. Barron further added that he had contacted the owner of the adjacent property and stated that the owner was not interested in selling. Mr. Barron felt that even 30 feet of frontage would be beneficial and also felt that if more people in the neighborhood knew about this, the Council would hear from them. He read a letter from Mr. W. T. Ward, Chief Property Agent, dated June 20, 1972, in which he had stated that plans were completed for the widening and paving of East 51st from Interregional Highway to New Manor Road and that the paving costs would be based on the 60% voluntary paving program. Mr. Ward had indicated that Mr. Barron's costs would amount to \$955.77. In conclusion, Mr. Ward added that the project was quite urgent.

Mr. Dan Davidson, City Manager, stated that the staff was in agreement that Mr. Barron did have a problem; however, under the current and previous policies of the City, it was customary that property owners most effected should dedicate at least a portion of the right of way and participate in paving costs. He added that the other property owner was not even willing to discuss this. From a traffic standpoint, he stated that according to Mr. Joe Ternus, Director of Traffic and Transportation, it would be only a matter of time before this connection would be required and urgently needed for the City. He made the following comments:

1. If this matter were not resolved in another year or two, it would be incumbent upon the City to include this within the near future in the Capital Improvements Program.
2. Previous discussions indicating that Mr. Barron should be able to use this property for something before the extension of 51st Street were based on an idea of density of something less than 144 units. He felt that the staff may have some different means of assistance in planning this project in stages. He wanted to discuss with Mr. Barron the initial construction as opposed to the construction after completion of the street.

Mr. Barron indicated that he had not discussed utilizing a portion of this project but felt that he would have to give the loan company some assurance as to when the remainder of the project would be completed. He requested Council give him some type of commitment as to what would be done in the future. Mr. Davidson informed him that the City was now working on new recommendations for the Capital Improvement Program and did not have anything definite at that time. Upon Mr. Barron's approval, Mr. Davidson suggested that the Council postpone this item and instruct the City Manager to arrange a meeting with Mr. Barron and present him with something definite as to what the City could recommend for the Capital Improvement Program. It was also suggested that they determine something as to the construction of these 144 units in stages and present to Council a better recommendation at a later date.

HEARING - TRANSIT MATTERS

Mayor Butler opened the public hearing scheduled for 1:00 P.M. to consider (a) amendment to transit system fares and (b) amendment to Section 34-6(b), 34-28, 34-42 and 34-43 of the Taxicab Ordinance. The Mayor announced that the information had been presented to Council by Mr. Joe Ternus, Director of Traffic and Transportation, on March 7, 1974.

Mr. Lyndon Henry, Executive Director of the Texas Association for Public Transportation, indicated that he had had a chance to review the Transportation/Energy Conservation Package and had provided an analysis to Council that past week. He stated that their figures were based on patronage and other estimates and figures supplied in the plan from the Urban Transportation Department. He basically summarized the study and their conclusions on the basis of the data presented in the Transportation Department's proposal:

1. City could expect to see savings of over 16,000 gallons of fuel per month.
2. Park and Ride System would have considerable impact in generating new patronage.
3. Combination of Park and Ride System and Nonpeak Fare would save bus riders over \$23,000 per month. These savings would be 3 times the predicted projected additional costs associated with implementation of these improvements.
4. City could expect to see reduction of approximately over 96,000 pounds of air pollution per month.

He also discussed some of the problems associated with the proposal:

1. Overall impact of the plan would be very modest. Estimated that less than 1% of traffic would be effected.
2. There would be an increase in travel time due to the necessarily slower speed of buses operating.
3. With Park and Ride System there would be loss of 40 minutes per day to users. With reduced fare proposal, there would be a loss to each user of approximately 4-1/2 minutes per trip.

They recommended full exploration of possible means to effect higher speed transit service in order to develop a system not only fully competitive with private auto but actually reducing and minimizing travel time.

He discussed various interim proposals that they would be passing on to the Urban Transportation Department:

1. Suggestions for additional parking facilities.
2. Possible use of the 2 inner lanes of the MoPac Expressway when opened.

However, in general, they did feel that time losses would be compensated for by other advantages in the proposal. They reviewed mainly the fare reductions and the park-and-ride aspect of the overall package. They felt that these would have the greatest overall impact of the plan. Their study recommended the implementation of this package; and they felt that it would definitely, overall, be of great benefit to the people of Austin.

Mr. Ewell Robinett, President of Yellow Checker Cab Company, stated that after having had the opportunity to review this proposal, he was there to support this and stated that his Company was willing to do everything that they could in the operations of their business to make this a success. He felt that this was an issue that indicated it might help Austin in a critical time the City was in as far as energy conservation. He wanted to announce that his company was 100% in support of the transportation proposal. He also felt that given the appropriate opportunity, a number of people would utilize this service and that the City could get the traffic congestion to a lower degree than today. In so doing, he thought that they would be able to move their units and serve the public better. He did not anticipate a material increase in their revenue but felt that this would enable them to provide a better service to the cab rider in Austin.

Mrs. Jack Frucella, representing the League of Women Voters of Austin, wanted to reaffirm their original belief that Austin should have an efficient, economical and convenient public transportation system that would truly serve the total population of the City, and not just a part of it. To provide an attractive, alternate means of transportation for all of Austin's residents, they believed that flexible, creative, new approaches in public transit had to be tried. They felt that a combination of the following services would be particularly necessary in order to provide a workable transit system:

1. Contractual commuter service for certain business and industries with substantial numbers of employees.
2. Peripheral parking, now called park-and-ride.
3. Preferential right of way for buses.
4. Unscheduled mini-buses available on call in low density areas.

She indicated that one of the major gains in an efficient, convenient, public transportation system would be one that would be used by a great number of people to reduce the numbers of autos on the streets and further added that traffic congestion especially during peak periods adversely effected air quality, accident rate, energy conservation, and levels of driver frustration. Along with innovations to increase the efficiency and convenience of public transit, they strongly recommended a concurrent, dynamic information and education program to stimulate public understanding of all Austin stands to gain from utilizing these services to be provided - matters of health, economics and morale would all be involved. In conclusion, she added that with the Council's continuing interest and vigorous support, a workable transportation system could be developed which would service all the people of Austin and benefit the community as well.

Mrs. Martha Mobley discussed a problem in connection with drivers of buses. She spoke of several incidents in connection with drivers' rude behavior. She stated that she had discussed this with the Transportation Department. She had been told that the City had no authority over the bus drivers in the City. She pleaded, if such were the case, that the Council amend the City policy in such a manner so as to dismiss a driver for bad behavior, if so merited. In conclusion, she stated that she could no longer tolerate this abuse and requested that something be done.

Mr. Davidson stated that Mr. Ternus and his staff, through their contract, could have an effect on the operation including the courtesy shown to passengers. He asked Mr. Ternus to pursue this and informed Mrs. Mobley that the staff might contact her for more details. He thanked her for calling this to the Council's attention.

Mr. Michael Smith, representing Save Austin's Valuable Environment, stated that he had met with Mr. Ternus and Ms. Mary McInnes, Transportation Department, three times since the initial presentation to Council on January 17, 1974. He indicated that the outcome was that SAVE's analysis of Austin's transit situation was not in agreement with Austin's Transportation Department. He added that the report presented by the Urban Transportation Department would cost an estimated \$260,000 as opposed to SAVE's estimate of \$68,000. SAVE did not agree with Urban Transportation Department's belief that it would require an additional 21 buses in order to incorporate SAVE's proposal. Mr. Smith discussed the Urban Transportation Department's projections for reduced fare, which were based on two reports:

1. An evaluation of free transit service done by Charles Rivers and Associates, Inc., from Boston, Massachusetts.
2. A report done in Washington.

SAVE felt that neither report applied to Austin's situation in that Charles Rivers' study was done in 1968, before an energy crisis, in an area serving 2.6 million. He also discussed the argument by the Transportation Department, against SAVE's proposal, that the citizens would be confused about change in fares; however, he added that the plan to reduce off-peak load fares would create a fare change at 9 a.m., 3 p.m., and 6 p.m. every day. He felt that the best method would be to reduce the fare to 15 cents for a certain period of time decided by Council and let the citizen response direct the future actions of fare increases or decreases.

There was discussion between Councilman Binder and Mr. Ternus as to the funding of this project and the diversion of people from cars into mass transportation. There was also discussion between Councilman Handcox and Mr. Ternus in reference to adopting Mr. Smith's proposal on an experiment level. By use of charts, Mr. Ternus further elaborated on figures used in the Transportation Department's proposal.

Councilman Binder indicated that he was very pleased with the work done by both Mr. Ternus and Mr. Smith and basically favored anything that would increase the ridership of buses. However, he favored the possibility of a month or two-month evaluation and experimentation.

Motion

After discussion by the Council, Mr. Ternus, and Mr. Smith, Councilman Handcox moved that the Council adopt SAVE's proposal on a trial basis of 90 days in which the City would effect the 15 cent ride for experimentation purposes. Councilman Binder seconded the motion.

Mr. Smith did not want to preclude the Park and Ride system or the Taxi Service. Councilman Lebermann indicated that after earlier discussions with Mr. Smith and Mr. Ternus, he was convinced that a combination of these proposals would in time be utilized. However, he felt that at this time the equipment question was the key issue. He congratulated Mr. Smith and stated that the City would be moving toward these kinds of continued experiments.

Substitute Motion

Mayor Butler introduced the following ordinance:

AN ORDINANCE ESTABLISHING THE RATES TO BE CHARGED FOR USING THE AUSTIN TRANSIT SYSTEM; PROVIDING FOR NO CHARGE FOR ZONE CHANGES; PROVIDING FOR TRANSFERS; SETTING OUT CHARTER SERVICE FEES; ESTABLISHING CONTRACT SERVICE FEES; DECLARING AN EMERGENCY; AND WAIVING THREE SEPARATE READINGS.

Councilman Lebermann made a substitute motion that the Council accept the recommendation of the administration and waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed:

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 34-6(b), 34-28, 34-42 AND 34-43 OF THE AUSTIN CITY CODE OF 1967 TO PROVIDE FOR VEHICLES TO BE USED AS "TAXI-POOL" VEHICLES IN CONJUNCTION WITH THE MUNICIPAL TRANSIT PARK-AND-RIDE FACILITIES; TO PROVIDE FOR SEPARATE MANIFEST SHEETS FOR SUCH "TAXI-POOL" VEHICLES; TO PROVIDE THE HOURS IN WHICH SUCH "TAXI-POOL" VEHICLES MAY BE USED; AND TO PROVIDE FOR THE RATES FOR THE USE OF SUCH "TAXI-POOL" VEHICLES; AND SUSPENDING THE RULE REQUIRING THREE SEPARATE READINGS.

Councilman Lebermann made a substitute motion that the Council accept the recommendation of the administration and waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

ZONING WITHDRAWN

Mayor Butler announced that the Council would hear the zoning case scheduled for public hearing at this time:

THOMAS & FITZGERALD
C14-73-244

204 Stassney Lane

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission
Recommended "B" subject to a
6' privacy fence along the
north and west boundaries
of subject tract

It was noted that this zoning request had been postponed from March 7, 1974, and that a letter had been received from the applicant requesting that the zoning case be withdrawn at this time.

Councilman Dryden moved that the Council grant the request of the applicant to withdraw the zoning. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler, Councilman Binder
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

RELEASE OF EASEMENTS

Councilman Dryden moved that the Council adopt a resolution authorizing the release of the following easement:

Portions of two (2.00) feet and five (5.00) feet in width of certain public utilities easements in Lot 13, Block 3, BRYKER WOODS "F", a subdivision. (Requested by Richard L. Logan, owner of said Lot 13.)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder, Dryden
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

Councilman Dryden moved that the Council adopt a resolution authorizing the release of the following easement:

A public utility easement five (5.00) feet in width across Lot 3 of the STECK ADDITION. (Requested by Joe D. Hooten, owner.)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder, Dryden
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

Councilman Dryden moved that the Council adopt a resolution authorizing the release of the following easement:

The remaining portions five (5.00) feet in width of public utility easements, originally seven and one-half (7.50) feet in width, along the common lot line of Lots 1 and 2 of the Resubdivision of 1.42 acres of Lot 5 of the Z. T. BUNDY SUBDIVISION. (Requested by William J. Scudder, one of the owners of said Lots 1 and 2.)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder, Dryden
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

LIBRARY GRANT

Councilman Lebermann moved that the Council adopt a resolution accepting a \$4,362.50 grant under the Texas State Library Systems Act, Fiscal Year 1974, for library materials and services. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder, Dryden
Noes: None
Absent: Mayor Pro Tem Love, Councilman Friedman

CONTRACTS AWARDED

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

TEXAS EMULSIONS, INC.
1103 Perry Brooks Building
Austin, Texas

- EA-11M and EA-HVRS Emulsion Supply Agreement, Item No. 1.2 - 150,000 gallons @ \$.2725/gal., and Item No. 2.2 - 400,000 gallons @ \$.2580/gal. - \$144,075, subject to escalation.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

AUSTIN CONCRETE WORKS, INC.
801 Airport Boulevard
Austin, Texas

- Cement Concrete Pipe Supply Agreement -
Item Nos. 1 - 23 - \$18,699.06

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

JAY SMITH CHRYSLER PLYMOUTH
841 West 6th Street
Austin, Texas

- Two (2) each Sedans, Supervisor @
\$3,511.77 - \$7,023.54

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

LOREY'S FIRE PROTECTION
SERVICE
4407 Sinclair
Austin, Texas

- Fire Fighting Hose - Item No. 1 -
2,600 ft. @ \$66.25/50 ft. and
Item No. 2 - 3,600 ft. @ \$43.25/50 ft. -
\$6,559.00

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

INTERNATIONAL BUSINESS	- Data Equipment for Upgrading Current
MACHINES CORPORATION	System for Urban Transportation
1609 Shoal Creek Boulevard	Department - Items 1-6 - \$44,217.00
Austin, Texas	

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

BYRON JACKSON PUMP DIVISION	- Repair of Pump #61 - Part of Boiler
6330 Dixie Drive	Apparatus, Seaholm Power Plant -
Houston, Texas	\$7,400.00

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

GATE CITY STEEL	- Galvanized Steel Structures for
801 North Xanthus	substation - Items 1-32 - \$109,829.00
Tulsa, Oklahoma	(with escalation)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

MUSKOGEE IRON WORKS, INC. Frankfort and Spaulding Muskogee, Oklahoma	- Galvanized Steel Structures, Plate, and Anchor Bolts for substations - Items 1-21 - \$14,663.00 (with escalation)
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The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

SOUTH WAY ELECTRIC UTILITY SERVICE, INC. 3201 Longhorn Boulevard Austin, Texas	- Three (3) each 500 KVA Single Phase Transformers @ \$2,130.00 - \$6,390.00
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The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

WESTINGHOUSE ELECTRIC 1455 West Loop South Houston, Texas	- Supervisory engineering service and spare parts for tri-annual disassemble, inspection, and preventive maintenance work, Steam Turbine #7 at Seaholm Power Plant - \$18,250.00
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The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

COMBUSTION DIVISION COMBUSTION ENGINEERING 3334 Richmond Avenue Houston, Texas	- Holly No. 1 Steam Turbine Boiler Repair - \$17,000.00
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The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

STEPHENS CONTRACTING COMPANY - For Jollyville Reservoir 48" Feeder
5148 Lotus Main Phase III - \$488,600.00
Houston, Texas

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden moved that the Council adopt a resolution awarding the following contract:

GENTEC HOSPITAL SUPPLY COMPANY - Ten (10) Anesthesia Machines @
2131 Theo \$2,284.00 less \$2,200.00 trade-in -
Austin, Texas Total - \$20,640.00.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden introduced Dr. Denis Bowyer, an anesthesiologist at Brackenridge, and stated that the present anesthetic machines were quite old and thought the new ones would help avoid a catastrophe.

CASH SETTLEMENTS

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

N. P. C. ASSOCIATES, NASH PHILLIPS, Attorney in fact, for
60/40 cash settlement for water and wastewater service in
Mesa Park, Section 4, Second Resubdivision of Block "K."
Estimated Cost is \$1,395.00, City's cost at 60% - \$837.00.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Handcox, Lebermann
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

DOYLE H. MOORE - for 60/40 cash settlement for water and wastewater service in Bergstrom Terrace, Section 2.
Estimated cost of installation \$800.00, City's cost at 60% - \$480.00.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Handcox, Lebermann
Noes: None
Not in Council Chamber when roll was called: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

PAYMENT OF COST DIFFERENCE

Councilman Lebermann moved that the Council adopt a resolution authorizing payment to WAYNE McDONALD, President of Onion Creek Development Company, for the cost difference of 12"/8" C.I. water main and appurtenances in Onion Creek, Section One - \$14,372.61. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler
Noes: None
Absent: Mayor Pro Tem Love, Councilman Friedman

PRICE ADJUSTMENT - DATA SYSTEMS

Mr. Hugh Standifer, Data Systems Administrator, appeared in reference to consideration of price adjustment of computer paper to cover unforeseen market conditions in the 12-month supply contract with Data Documents approved by Council on May 31, 1973. He indicated that Data Documents wanted to increase their prices from \$3.02 per thousand sheets to \$4.40 per thousand, which would amount to an increase of approximately \$4,300. He mentioned that he had contacted several suppliers in regard to supplying paper to the City and none had offered to supply the paper for any less than the increased price that Data Documents was asking. He further added that some of the suppliers contacted told him that they had orders from corporate headquarters not to sell stock paper to any customers now who did not purchase that paper from them last year. He also stated that the suppliers indicated that any future long-term contracts would contain escalation clauses for any type of paper. Mr. Standifer wanted to emphasize that he was recognizing a legitimate problem rather than setting a precedent for the City and stated that term contracts represented a substantial savings as opposed to spot purchases. In conclusion, he indicated that there

was only a three and one-half weeks' supply on hand; and as a result of the current paper situation, he recommended Council's favorable consideration of this proposal.

Motion

In the interest of good business practice and the need for computer systems and internal managerial affairs, Councilman Lebermann moved that the Council accept the proposal. The motion was seconded by Councilman Dryden. Mayor Butler appreciated Mr. Standifer's recommendation from a business standpoint, but he questioned the risk involved and felt that this would not be a good precedent for the City. After discussion in reference to Data Document's upholding the contract at \$4.40 per thousand, Councilman Lebermann withdrew his motion. Mayor Butler announced that this would require that Data Documents perform according to the contract.

NO-SMOKING POLICY

Consideration of a "no-smoking" policy on municipal transit vehicles for the Austin transit system was now before the Council for action. Mr. Dan Davidson felt that the City had a right to prohibit smoking on buses not only from a health standpoint but also from the standpoint of damage to buses. Councilman Binder felt that this was a campaign to prevent smoking wherever possible. He discussed smoking on the airlines. After discussion, Councilman Handcox moved that the Council adopt a resolution prohibiting smoking on the Austin transit system. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler
Noes: Councilman Binder
Absent: Councilman Friedman, Mayor Pro Tem Love

MODIFICATION OF TRANSIT ROUTE

Councilman Lebermann moved that the Council adopt a resolution authorizing the modification of Transit System Route 18 - East 19th Street Route as follows:

From 6th and Congress, north on Congress to 11th Street, east to I.H. 35 East Service Road, north to 12th Street, east to Comal, north to 19th Street, east to Ed Bluestein Boulevard, south to Tracor, north to 19th Street, east to Craigwood Drive, north to 19th Street, west to Hilldale Drive, north to Northdale Drive, west to Old Fort Hill Drive, south to 19th Street, west to Comal, south to 12th Street, west to San Jacinto, south to 10th Street, west to Congress, and south on Congress to 6th Street.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder
Dryden
Noes: None
Absent: Councilman Friedman, Mayor Pro Tem Love

These proposed modifications will provide transit service to Tracor at 7:45 and 8:15 a.m. and at 4:45 and 5:15 p.m. and will reinstate service to residents living north of 19th Street, which was deleted in June, 1973, because of extension of East 19th Street route eastward to Craigwood Drive. These modifications will not require any changes to the route schedules.

HEARING SET ON CAPITAL IMPROVEMENT GRANT

Councilman Dryden moved that the Council adopt a resolution setting a public hearing for 1:30 P.M., April 18, 1974, on an application for Capital Improvement Grant to the Urban Mass Transportation Administration. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Binder, Dryden
Noes: None
Absent: Mayor Pro Tem Love, Councilman Friedman

PROCEDURE FOR HANDLING ALLEGED POLICE MISCONDUCT

On March 7, 1974, Mayor Butler had presented to Council a policy for consideration for handling alleged police misconduct. He indicated that he had presented the policy to the Austin Police Association and the East Austin Committee for Justice, and he had agreed to postpone this matter until March 21, 1974, to allow the afore-mentioned groups adequate time to further review the proposal.

SCHOOL DISTRICT REQUEST

It was noted that a request had been made by the Austin Independent School District, represented by Mr. Dan J. Driscoll, Director of School Plant, for permission to construct 8 tennis courts on the area immediately west of the new Austin High School and extending to the MoPac right of way. Mr. Dan Davidson indicated that the Parks and Recreation Department had analyzed this request and had given its recommendation; however, he noted that Mr. Don Butler, City Attorney, had noted that this would require a public hearing conducted by the School Board in order to utilize this City-owned land. Mr. Jack Robinson, Director of Parks and Recreation, indicated that the School District would also be taking advantage of its option in the agreement to construct a baseball field in the area east of the school site. After discussion, it was decided that the School District appear before the Council upon completion of the referenced public hearing.

A HAPPENING ON TOWN LAKE

Mrs. Hardie Bowman, Chairman of "A Happening on Town Lake," appeared before Council to invite citizens of Austin and Council to participate in "A Happening on Town Lake," sponsored by Citizens' Committee for A More Beautiful Town Lake, to be held Sunday, March 24, 1974, from 2:00 until 5:00 p.m.

She announced that Mrs. Lyndon B. Johnson, honorary Chairman of the Committee, would be there and requested that everyone attend to enjoy the improvements that have been made, as well as enjoy an afternoon of activities that would include participation by all the family. She extended a special invitation to the Council members to participate in a special Frisbee contest at 4:00 p.m. She also requested their presence in assisting Mrs. Johnson at 4:45 p.m. in front of the auditorium to award the place ribbons. Mayor Butler indicated that the Council members would be pleased to attend.

PROPOSED ALTERATIONS TO WEST NINTH AND TENTH STREETS

Ms. Carolyn Bucknall, Chairman of the Old Austin Neighborhood, appeared before Council requesting that a public hearing be held on a matter relating to the proposed extension of West 9th Street and the widening of West 10th Street. She stated that there had been no thorough and detailed public explanation of the factors considered in the proposal of these changes. She mentioned that she had spoken with Mr. Dan Davidson and certain department heads on this matter and understood that it was not too late to alter the plans or even prevent their being undertaken altogether. She and the Neighborhood were opposed to these changes for the following reasons:

1. The introduction of two high traffic streets as one-way pair would be detrimental to current land use patterns in this historic area.
2. The extension of West 9th into City-owned land that is presently used as a park (and thereby dividing it in half) would not be in the best interests of the neighborhood and the City as a whole.

She added that in addition to the amount of interest expressed by various individuals, the Travis Audubon Society requested that the undeveloped portion of the park be preserved as a native wilderness. Because of this interest, she requested the public hearing to give the public an opportunity to express its views and felt that possibly it could lead to consideration of alternatives to the present proposal.

She requested that the hearing be held no sooner than two weeks after the preliminary engineering report was completed, which she heard would be another two weeks. In view of the estimated completion, she suggested April 11 or 18, 1974. In conclusion, she added that in working on this project she had been in touch with various employees and in almost every instance everyone had been extremely helpful and forthcoming. Mr. Davidson indicated that the project design was underway; however, he was working on a separate report on a number of questions raised by the community. He added that upon completion of the reports, he would make his recommendation to Council as to when the hearing could be held.

PROPOSED ALTERATIONS TO GUADALUPE STREET

Mr. Michael R. McHone had requested to appear before Council to discuss the proposed widening of Guadalupe Street between 26th and 27th Streets and the installation of a left-turn lane from Guadalupe to 27th Street. It was noted that a letter had been received from the applicant requesting that this matter be withdrawn.

REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH UNION CREEK DEVELOPMENT COMPANY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Onion Creek, Section 1)

The ordinance was read the first time only, and Councilman Dryden moved the ordinance be passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Handcox, Lebermann
Noes: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

ZONING ORDINANCE

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 14, DIXIE TERRACE ADDITION, LOCALLY KNOWN AS 8300 BOWLING GREEN DRIVE AND 2300-2304 OIHLEN ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND DECLARING AN EMERGENCY. (C14-73-250)

The ordinance was read the second time, and Councilman Dryden moved the ordinance be passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Handcox, Lebermann
Noes: Councilman Binder
Absent: Mayor Pro Tem Love, Councilman Friedman

GAS RATE ORDINANCE

It was decided that the consideration of an amendment to the Gas Rate Ordinance would be postponed until March 21, 1974.

GOLF FEES ORDINANCE

After discussion, it was decided that the consideration of an amendment to the Golf Fees Ordinance would be postponed until March 28, 1974. However, Mr. General Marshall, coach of the Huston-Tillotson College golf team, wanted to speak in reference to the teams of Huston-Tillotson and St. Edwards University. He noted that the University of Texas' varsity golfers paid no green fees nor did their visiting teams. He indicated that he was not there to argue against the University but to ask that some understanding be given to the two referenced colleges. His specific request was for visiting golf teams to be charged \$1.25 per round as opposed to the present full fee of \$3.00.

POLICY ON CLINIC CARDS

Due to Councilman Friedman's absence, the Brackenridge Hospital policy on clinic cards was not considered at this time.

NOTICE OF MEETING

Mayor Butler announced at this time that Council would meet in an Executive Session with the L.C.R.A. Board on Thursday, March 21, 1974, at 11:00 a.m. in the L.C.R.A. Building Board Room to be presented the tentative site selections for the joint coal-fired facility.

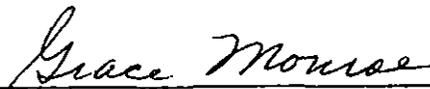
ADJOURNMENT

The Council adjourned at 3:15 p.m.

APPROVED


Mayor

ATTEST:



Acting City Clerk